

PHILLIP A. TALBERT
Acting United States Attorney
MICHAEL D. ANDERSON
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GARY STEPHEN MAYNARD,

Defendant.

CASE NO. 2:21-CR-0224 TLN

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
[PROPOSED] FINDINGS AND ORDER

DATE: February 10, 2022
TIME: 9:30 a.m.
COURT: Hon. Troy L. Nunley

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on February 10, 2022.
2. By this stipulation, defendant now moves to continue the status conference until March 31, 2022, and to exclude time between February 10, 2022, and March 31, 2022, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) Discovery associated with this case includes at least 12061 pages of reports, photographs, and other documents. This number of discovery pages also includes pages that are placeholders for electronic data produced in native formats, such as video recordings. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying. Current defense counsel, Ms. Sinha, joined the case within the past two months.

1 Defense counsel has been reviewing the voluminous discovery, which was provided in a digital
2 format. The government and defense counsel also previously arranged for an in-person
3 inspection of the defendant's seized vehicle by a defense investigator, and the government has
4 made available for inspection all other physical items seized during the investigation.

5 b) Counsel for defendant desires additional time to review the voluminous
6 discovery, including reviewing reports, viewing videos and photographs, and examining other
7 electronic data and documents. In addition, counsel for the defendant desires additional time to
8 continue to conduct an independent defense investigation of the case.

9 c) Counsel for defendant believes that failure to grant the above-requested
10 continuance would deny her the reasonable time necessary for effective preparation, taking into
11 account the exercise of due diligence.

12 d) The government does not object to the continuance.

13 e) Based on the above-stated findings, the ends of justice served by continuing the
14 case as requested outweigh the interest of the public and the defendant in a trial within the
15 original date prescribed by the Speedy Trial Act.

16 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
17 et seq., within which trial must commence, the time period of February 10, 2022 to March 31,
18 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
19 T4] because it results from a continuance granted by the Court at defendant's request on the basis
20 of the Court's finding that the ends of justice served by taking such action outweigh the best
21 interest of the public and the defendant in a speedy trial.

22 ///

23 ///

24 ///

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: February 4, 2022

PHILLIP A. TALBERT
Acting United States Attorney

/s/ MICHAEL D. ANDERSON
MICHAEL D. ANDERSON
Assistant United States Attorney

Dated: February 4, 2022

/s/ CHRISTINA SINHA
CHRISTINA SINHA
Counsel for Defendant
GARY STEPHEN MAYNARD

[PROPOSED] ORDER

IT IS SO FOUND AND ORDERED this ____ day of _____, ____.

THE HONORABLE TROY L. NUNLEY
UNITED STATES DISTRICT JUDGE